

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honoluludpp.org](http://www.honoluludpp.org)

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

December 9, 2019

The Honorable Ikaika Anderson  
Chair and Presiding Officer  
and Members  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Chair Anderson and Councilmembers:

**SUBJECT:** Receipt of Land Use Ordinance (LUO) Amendment Resolution and Request for Additional Accompanying Documentation Required for Processing the LUO Amendment Resolution No. 19-305 Relating to Wind Machines

This is to confirm receipt of Resolution No. 19-305, entitled:

"Resolution Proposing an Amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), as Amended, Relating To Wind Machines."

The Resolution (copy enclosed) was sent to the Department of Planning and Permitting (DPP) by the City Clerk on November 8, 2019, and was received on November 12, 2019. In accordance with Ordinance 08-8, the DPP has begun reviewing the Council's proposed amendments to the LUO relating to wind machines.

The DPP recognizes that the expressed intent of the Resolution is to increase the setback distances for wind machines with a rated capacity of up to 100 kilowatts in order to protect people from any possible negative health impacts that wind machines may cause.

In advance of this proposal moving forward, the DPP has identified a number of items that will require further research. Anything the Council could do to assist us with these items would be greatly appreciated.

**DEPT. COM. 802**

19DEC10 AM 9:36 CITY CLERK

The Honorable Ikaika Anderson  
Chair and Presiding Officer  
and Members  
December 9, 2019  
Page 2

- Is there a scientific basis for requiring that wind machines with a rated capacity of more than 100 kilowatts be setback a minimum of five miles from property lines?
- How might this proposal be reconciled with Oahu's Resilience Strategy in which a "fossil-fuel free future" is discussed or the State's goal of a 100 percent renewable energy portfolio by the year 2045?
- If adopted, how many acres may be left for wind energy production? Our initial assessment (excluding parcels in the conservation district, or under the jurisdiction of the Department of Hawaiian Home Lands or Hawaii Community Development Authority) suggests that, if this amendment is adopted, there may be no lots available for wind energy production. Is that the Council's intent?

We understand the need to be cautious regarding alternative energy options. However, we are concerned that this proposal may leave no room for new technologies associated with the next generation of wind machines or may stifle the island's ability to free ourselves from heavy dependence on imported fossil fuels. Should you have any questions, please contact me at 768-8000.

Very truly yours,



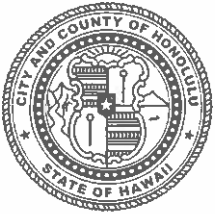
Timothy F. T. Hiu  
Deputy Director

Enclosure

APPROVED:



Roy K. Amemiya, Jr.  
Managing Director



**GLEN I. TAKAHASHI**  
CITY CLERK


## OFFICE OF THE CITY CLERK

CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 100  
HONOLULU, HAWAII 96813-3077  
TELEPHONE: (808) 768-3810 • FAX: (808) 768-3835

November 8, 2019

VIA E-MAIL AND CITY MESSENGER

TO: KATHY SOKUGAWA, ACTING DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

FROM: GLEN I. TAKAHASHI, CITY CLERK 

SUBJECT: NOTICE OF INTRODUCTION OF A RESOLUTION FOR A COUNCIL  
PROPOSAL TO AMEND THE GENERAL PLAN, THE DEVELOPMENT  
PLANS, THE ZONING ORDINANCES, OR THE SUBDIVISION  
ORDINANCE.

2019 NOV 12 PM 1:55  
DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

RESOLUTION 19-305 entitled:

"RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED  
ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE),  
RELATING TO WIND MACHINES,"

was introduced on November 8, 2019 and was referred to the Committee on Zoning, Planning and Housing. Pursuant to Ordinance 08-8, a copy of the Resolution is transmitted herewith.

Ordinance 08-8 further requires you to promptly stamp the date and time of receipt of this document on this transmittal letter and to notify the Council in writing of the date of receipt.

pno

Attachment: Resolution 19-305



## **RESOLUTION**

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**PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO WIND MACHINES.**

**WHEREAS, while clean renewable energy sources are essential to the development of sustainable communities, the siting of wind farm projects has been the subject of considerable controversy; and**

**WHEREAS, the rotation of wind machine blades produces audible low-frequency noises, infrasound, and shadow flicker patterns; and**

**WHEREAS, persons living in close proximity to wind farms have reported adverse health symptoms, including sleep disturbance, dizziness, headache, fatigue, and psychological distress, that they attribute to exposure to wind machines; and**

**WHEREAS, a 2018 study by a team of researchers from the University of Toronto found that residential proximity to wind turbines is correlated with annoyance and health-related quality of life measures; and**

**WHEREAS, the City's Land Use Ordinance ("LUO") currently requires horizontal-axis wind machines and ground-mounted vertical-axis wind machines to be set back from all property lines a minimum distance equal to the height of the system; and**

**WHEREAS, the Council believes there is a need to increase the setback distance for wind machines in order to protect people from any possible negative health impacts that wind machines may cause; and**

**WHEREAS, Charter Section 6-1513 provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and**

**WHEREAS, the term "zoning ordinances," as used in Charter Section 6-1513, includes both amendments to the LUO and to ordinances designating particular parcels of property in terms of the LUO; and**

**WHEREAS, ROH Chapter 2, Article 24, Part A, establishes procedures and deadlines for the processing of the City Council ("Council") proposals to revise or amend the general plan, the development plans, the zoning ordinances, and the**



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 19-305

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**RESOLUTION**

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subdivision ordinance, and clarifies the responsibility of the Director of Planning and Permitting to assist the Council in adequately preparing its proposals for processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting and the Planning Commission are directed, pursuant to Charter Section 6-1513, and ROH Chapter 2, Article 24, Part A, to process the proposed amendment to ROH Chapter 21 (the "Land Use Ordinance"), attached hereto as Exhibit A, in the same manner as if the proposal had been proposed by the Director; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 19-305

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**RESOLUTION**

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BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, Part A, the Clerk shall transmit copies of this resolution and the Exhibit attached hereto to the Director of Planning and Permitting and the Planning Commission, and shall advise them in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

*Huda Sunayobi*

DATE OF INTRODUCTION:

**NOV 8 2019**

Honolulu, Hawaii

Councilmembers

## **EXHIBIT A**



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL \_\_\_\_\_

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**A BILL FOR AN ORDINANCE**

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RELATING TO WIND MACHINES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address wind machine setbacks.

SECTION 2. Section 21-5.700, Revised Ordinances of Honolulu 1990 ("Wind machines"), is amended by amending subsection (a) to read as follows:

"(a) All horizontal-axis [~~wind machines~~] and ground-mounted vertical-axis wind machines with a rated capacity of up to 100 kilowatts must be set back from all property lines a minimum distance equal to the height of the system. Height includes the height of the tower or its vertical support structure and the farthest vertical extension of the wind machine. All horizontal-axis and ground-mounted vertical-axis wind machines with a rated capacity of more than 100 kilowatts must be set back from all property lines a minimum distance of five miles. Section 21-4.60(c)(7) notwithstanding, for rooftop mounted vertical-axis wind machines with a rated capacity of up to 100 kilowatts, the machinery must be set back pursuant to the height setbacks enumerated in articles 3 and 9 for the underlying zoning district or special district precinct."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, underscoring.





**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL \_\_\_\_\_

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**A BILL FOR AN ORDINANCE**

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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

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DATE OF INTRODUCTION:

\_\_\_\_\_  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor  
City and County of Honolulu